IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

WP(C).No. 25158 of 2006(T)

PETITIONER:

P.L.S. KANNAN, S/O. SUBRAMANIAN,
NO.6-KEETHI, NEERAMANKARA,
MAHADEVA NAGAR, NEMOM VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:

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1. XAVIO MANO MATHEW,
S/O. JOHN MATHEW, PANACHIKKAL HOUSE, T N D-10,
TAGORE NAGAR, VAAZHUTHACAUD,
THIRUVANANTHAPURAM.

2. THE S I OF POLICE, MUSEUM POLICE
STATION, THIRUVANANTHAPURAM.

3. THE C I OF POLICE,
MUSEUM POLICE STATION, THIRUVANANTHAPURAM.

4. STATE OF KERALA, REP. BY
CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

INDEX

PETITIONER'S EXHIBITS

EXT.P1:TRUE COPY OF THE F.I.R IN Cr.NO.283/05.

EXT.P2:TRUE COPY OF THE ORDER IN BA.5002/05 OF THIS HON'BLE COURT DT.18.8.05.

EXT.P3:TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER DATED 1.12.05.

EXT.P4:PHOTOCOPY OF THE AGREEMENT BETWEEN THE PETITIONER AND 1ST RESPONDENT DT.11.3.02.

EXT.P5:TRUE COPY OF THE LETTER DT.10.12.05 PURSUANT TO EXT.P3

EXT.P6:TRUE COPY OF THE REPRESENTATION GIVEN BY THE PETITIONER TO THE CITY POLICE COMMISSIONER DT.1.8.05.

EXT.P7:TRUE COPY OF THE COMPLAINT GIVEN BY THE PETITIONER TO THE HON'BLE CHIEF MINISTER DT.11.08.05.

RESPONDENT'S EXHIBITS

EXT.R1(a):TRUE COPY OF THE COMPLAINT IN S.T.NO.278/06 BEFORE THE HON'BLE CHIEF JUDICIAL MAGISTRATE COURT,TRIVANDRUM FILED BY THE 1ST RESPONDENT.

EXT.R1(b):TRUE COPY OF THE LAWYER NOTICE DATED 9.3.06 SENT BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.R1(c):TRUE COPY OF THE ACKNOWLEDGMENT CARD SIGNED BY THE PETITIONER AS RECEIPT OF EXT.R1(b).

EXT.R1(d):TRUE COPY OF COMPLAINT DATED 13.1.06 FILED BY THE 1ST RESPONDENT BEFORE THE CHIEF MINISTER & DGP.

EXT.R1(e):TRUE COPY OF THE ORDER DATED 30.9.05 IN Crl.M.C.NO.3087/05 OF THIS HON'BLE COURT.

/TRUE COPY/

P.A TO JUDGE

R.BASANT, J

W.P(C).No.25158 of 2006

Dated this the 23rd day of January, 2007

JUDGMENT

This petition is filed by the petitioner complaining about the inadequate and insufficient investigation in Ext.P1 Crime ie. Crime No.283 of 2005 of Museum Police Station, Trivandrum. According to the petitioner, the accused has forged the original of Ext.P4 and had threatened the petitioner to utilise Ext.P4. It is hence that the petitioner had filed a complaint before the police. It is on that complaint, that the investigation is in progress.

2. The respondent/accused has filed a statement and in para.6 of the statement, it is asserted, and such assertions is repeated at the Bar by the learned counsel for the petitioner at the Bar that no document as Ext.P4 is in existence at all and that he had never produced such a document at any time.

3. In view of the specific assertions made in para.6 by the respondent/accused which are repeated by the counsel for the respondent at the Bar, the learned counsel for the petitioner submits that the petitioner does not seek any further relief.

4. This W.P(C) is, in these circumstances, dismissed as agreed.

(R.BASANT, JUDGE)

rtr/-